

Atty. Dkt. No. 035451-0145

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Claim Rejections – 35 U.S.C. § 103:

In Section 3 of the Office Action the Examiner rejected claims 1-4, 6-9, 17-19, 22, and 24-27 under 35 U.S.C. § 103(a) as being unpatentable over Chen (U.S. Patent No. 5,982,092) in view of Baur et al. (U.S. Patent No. 4,142,781) and Umemoto et al. (U.S. Patent No. 6,366,409B1).

With regard to independent claim 1, neither Chen nor Baur, alone, or in any proper combination discloses, teaches, or suggest the combination of elements recited in independent claim 1. In particular, Chen discloses the use of a reflective layer 30 and a separate fluorescent layer 50. See, for example, FIG. 3 and FIG. 5. In Chen the fluorescent layer 50 which even if substituted with the phosphorescent layer of Baur is not the same as the reflective layer of applicants invention. The fluorescent layer 50 transmits and converts light that is reflected from reflective layer 30. The light is then transmitted to diffusion layer 20. In independent claim 1 applicants claim “a reflective layer having phosphorescent coatings in the substrate, the phosphorescent coated surface reflecting the invisible light from the light source and converting the invisible light into visible light visible to the human eye. “In contrast, Chen discloses both a reflective layer and a separate fluorescent layer that transmits light. In applicants’ invention the reflective layer is not configured to transmit the light rather the reflective layer is configured to reflect and convert the light. Given, at minimum its ordinary meaning, a reflective layer does not transmit light, but reflects light. The dictionary definition of “reflect” is “to throw back or bend back (light, for example) from a surface.”

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The American Heritage College Dictionary, 3rd ed., p. 1147 (1997). The layer 50 of Chen converts light. Applicants note that Chen's layer 50 may refract light, but the layer is not configured to reflect light. Accordingly, applicants invention of independent claim 1 is distinctively different than the structure provided by Chen even if it were properly combined with Baur to provide for the phosphorescent layer. Accordingly, independent claim 1 and its respective dependent claims are in condition for allowance.

With regard to independent claim 17, independent claim 17 recites "a light converter, converting the invisible light to light having a wavelength visible to the human eye, the light converter having metallized coatings on a substrate to reflect visible and invisible light, and the light converter having phosphorescent coatings on the substrate." Also, claim 17 recites "a flexible display layer receiving and transmitting the visible light." The applicants respectfully submit that Chen in view of Umemoto et al. and Baur et al. does not disclose, teach, or suggest alone or in any proper combination the light converter recited by applicants. As discussed earlier, the light converter provided in Chen, on which the Examiner relies, does not include metallized coatings on a substrate which reflect visible and invisible light. Rather the fluorescent layer of Chen which converts the light is not a reflective layer, it is a transmissive layer. Accordingly, Chen does not disclose a light converter as recited by applicants.

Further, the Examiner states that flexible display layers are well known in the art. Applicants respectfully submit that flexible display layers have not been well known for a very long time and therefore combination with the other elements of claim 17 including the light converter recited would not have been obvious to those of ordinary skill in the art at the time of the invention. For example, the E-paper displays referred to on pg. 5, paragraph [0019] of Applicants' specification are a type of flexible display that are currently being

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developed and have not, as of yet, found widespread applicability. Thus, applicants request that the Examiner support his statement relating to flexible display layers, which are positively recited in claim 17, or more aptly that the Examiner withdraw the rejection of claim 17.

Based on all of the arguments presented above, applicants respectfully submit that independent claim 17 and its respective dependent claims are allowable.

In Section 4 of the Office Action the Examiner rejected claims 10-16 as being unpatentable over Chen in view of Umemoto et al. The Examiner states that the reflective layer 50 of Chen has a fluorescent surface reflecting the IR portion of the invisible light and converting it into light visible to the human eye. Applicants however respectfully disagree, the fluorescent pigment layer 50 of Chen is interposed between the light conductive plate 10 and the light reflection layer 30. Accordingly, the layer 50 acts as a transmissive layer and is not a "reflective layer including at least one of a phosphorescent and a fluorescent surface," as recited in independent claim 10. Accordingly, applicants respectfully submit that independent claim 10 and its dependent claims are therefore allowable based on reasoning presented with regard to independent claim 1.

Claims 1-4, 6-19, 22, and 24-27 are now pending in this application.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a

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check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

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